

EXHIBIT C

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MATTHEWS INTERNATIONAL)
CORPORATION,)
)
 Plaintiff,)
) No. 2:23-cv-00704-WSS
 v.)
)
 RICHARD BELCOURT and TRIDENT)
 RECYCLING AND REFINING LLC)
 D/B/A TRIDENT RECYCLING,)
 REFINING & REFRactory REPAIR,)
 LLC,)
)
 Defendants.)

**PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS,
SOFTWARE AND THINGS DIRECTED TO RICHARD BELCOURT**

Matthews International Corporation (“Matthews”), by and through its undersigned counsel, and pursuant to Rule 34 of the Federal Rules of Civil Procedure, hereby propounds Plaintiff’s First Set of Request for Production of Documents to Richard Belcourt. Plaintiff requests that Richard Belcourt answer the same in the manner prescribed by the Federal Rules of Civil Procedure, and within the time permitted by those Rules or any Order of Court expediting discovery in this matter.

DEFINITIONS

A. “**You**,” “**your**,” and “**Belcourt**” shall refer to Defendant Richard Belcourt and any person or entity acting or purporting to act at his request, on his behalf, or under his direction or control.

B. **“Trident”** shall refer to Defendant Trident Recycling and Refining LLC d/b/a Trident Recycling, Refining & Refractory Repair and any person, agent, or entity acting, or purporting to act, on its behalf.

C. **“Matthews”** shall refer to Plaintiff Matthews International Corporation, and any person, agent or entity acting, or purporting to act, on its behalf.

D. **“Matthews Customer”** shall mean any current, prospective or former customer of Matthews.

E. **“Any”** shall be understood to encompass **“all.”**

F. The conjunction **“and”** shall include the disjunctive **“or”** and vice versa.

G. **“Person”** shall mean any natural person or business organization.

H. **“Document”** or **“documents”** shall have the full meaning as set forth in the Federal Rules of Civil Procedure and includes (but is not limited to) all electronically stored, written, typewritten, handwritten, recorded or printed matter of any kind, including the originals and all non-identical copies thereof, whether different from the originals by reason of any notation made on such copies or otherwise, including without limitation: minutes and/or other records of meetings, agendas, bills, contracts, leases, assignments, agreements, contracts, summaries of negotiations, account books, orders, invoices, statements, bills, checks, accounting records, vouchers, summaries, diaries, forecasts, studies, drawings, graphs, charts, reports and/or summaries of investigations or reports, strategic or business plans or summaries, brochures, pamphlets, publications, circulars, advertisements, trade letters, press releases, statements of policy, correspondence, letters, electronic mail, telegrams, interoffice and intraoffice communications, offers, notations of any sort of conversations, appointment books or calendars, teletypes, telefax, thermafax, confirmations, computer files, printouts of computer files,

computer data (including information or programs stored in a computer, whether or not ever printed out or displayed); all drafts, alterations, modifications, changes and amendments of any of the foregoing; all graphic or manual records or representations of any kind, including without limitation, photographs, microfiche, microfilm, video tape, records, motion pictures, and electronic, mechanical or electric records or representations of any kind, including without limitation, tapes, cassettes, disks, magnetic cards, and recordings; and all other similar material which is in your possession, custody or control. Without limiting the term "control" as used in the preceding sentence, a document shall be deemed to be within your control, regardless of its physical location, if you have the right to secure the document or a copy thereof from another person or entity, either public or private, including, but not limited to, your legal counsel, having actual possession thereof.

I. **"All documents"** shall mean every document, whether an original or copy, as above defined, and every such document or writing which can be located or discovered by reasonably diligent efforts.

J. **"Refer," "relate," "reflect," "regard," "refer to," "relate to," "relating to," and "concerning"** (or forms thereof) shall mean directly or indirectly, in whole or in part, connected with, commenting on, relevant to, impinging or impacting upon, affecting, responding to, showing, describing, representing, supporting, contradicting, stating, mentioning, showing, evaluating, recording, noting, analyzing, or constituting.

K. **"Identify"** and **"identification"** shall mean, when used in reference to:

- (a) A natural person: his or her full name; home address; business address; home and business telephone number; present or last known position, job description, and the identity of his or her business affiliation; his or her position, job description, and the identity of his or her business affiliation at the time and in the context in which he or she is identified; and the relationship, business or otherwise, between such person and yourself.
- (b) A company, corporation, association, partnership, or legal entity other than a natural person: its full name; a description of the type of organization or entity; the address and telephone number of its principal place of business; the jurisdiction of incorporation or organization; the date of its incorporation or organization; and the identity of each natural person acting on behalf of the entity at the time and in the context in which the entity is identified.
- (c) A document: its description (i.e., letter, memorandum, report, etc.); its title; its date; the number of pages thereof; its subject matter; the identity of its author(s), creator(s), originator(s), signer(s), and any person(s) who participated in its preparation; the identity of its addressee(s) or recipient(s); the identity of each person to whom copies were sent and each person by whom copies were received; its present location; and the identity of its custodian(s). If any such document was, but is no longer in your possession or control, state what disposition was made of it and when.
- (d) A communication: the type and/or mode of the communication; the date and time when it occurred; the place where it occurred; the complete substance of the communication; the identity of each person to whom such communication was made, by whom such communication was made, and who was present when such communication was made; and the identity of all documents memorializing, referring, or relating in any way to the communication or its subject matter.
- (e) An assertive action: the date and time when it occurred; the place where it occurred; a detailed description of the action; the identity of each person taking and/or witnessing such action; and the identity of all documents memorializing, referring, or relating in any way to the subject matter of the action.

GENERAL INSTRUCTIONS

- A. Responses to these Requests should include all information known to you as “you” is defined above, or ascertainable by you upon reasonable inquiry. If a response cannot be

provided to any particular Request, then identify any individual or entity who might have knowledge, and any material which is believed to be relevant to the information sought.

B. To the extent that an objection is raised to any Request herein, whether in whole or in part, respond to as much of the Request as to which no objection is asserted. With respect to the portion of the Request to which an objection is asserted, state with specificity the basis for the objection.

C. With respect to any document that is claimed to be privileged or otherwise protected from discovery, identify the document, including its date, author(s), recipient(s), and general subject matter, but not its substance; state the privilege or other protection from discovery allegedly involved; and state any factual and/or legal basis for the assertion of the privilege or the protection from discovery.

D. These Requests are continuing in nature. In the event that any information comes to your attention after you serve responses to these Requests, which information is responsive to any request for discovery above or which would change or alter in any way the response to the above Requests, and which was not included in the responses to the above Requests, such additional materials or information shall be furnished to counsel for Matthews as soon as possible without any further request by Matthews.

REQUESTS FOR PRODUCTION

1. All Documents identified in, relating to, to which you referred or upon which you relied when answering Plaintiff's First Set of Interrogatories directed to you.

2. All Documents (including, but not limited to, any correspondence, memorandum, notes, emails, text messages, recordings of conversations, and voicemails) memorializing, constituting or relating to communications you have had with any Matthews Customer.

3. All Documents relating to the establishment of Trident.

4. All Documents between you and any representative of Trident or any other competing entity concerning Matthews, your Covenant Agreements (as defined in the Verified Complaint), any Matthews Customer, or Matthews' business practices, including but not limited to, its enforcement of its post-employment restrictions.

5. All Documents (including, but not limited to, any correspondence, memorandum, notes, emails, text messages, recordings of conversations, and voicemails) memorializing, constituting or relating to communications you have had with any current or former Matthews employee regarding your separation from Matthews, your contractual obligations to Matthews, and your establishment of Trident.

6. All Documents belonging to or originating from Matthews (including any and all copies, summaries, or distillations thereof).

7. All Documents memorializing, regarding or in any way relating to the terms and conditions of your employment or engagement by Trident, including (but not limited to) any offer letter, employment agreement, restrictive covenant agreement, etc.

4. All Documents memorializing, regarding, relating to, or reflecting any work you have performed for or on behalf of Trident.

5. All Documents that relate in any way to or describe your job duties for Trident, including any job description, goals, objectives, or performance criteria.

6. All Documents that you directly or indirectly obtained from, received from, used,

created, or had access to during the course of your employment at Matthews, and/or which you took from Matthews and/or which you failed to return to Matthews, and/or that you have provided, communicated, disclosed, sent, e-mailed, transferred, or described to any employees at Trident or any other persons or entity at which you sought employment, including but not limited to:

- any and all Documents referring or relating to Matthews' business including, but not limited to, information regarding its business, services offered, finances, pricing, warranties, costs, margins and profitability, information regarding its business, strategic and operating plans, and sales and marketing information (including proposals);
- any and all Documents referring or relating to any Matthews Customer (bids, proposals, jobs, quotes, names, addresses and phone numbers of contacts at customer sites (or any compilation of such information in whatever form, including personal notes, computer database files, rolodex cards, handwritten lists, etc.));
- any and all Documents that you obtained, directly or indirectly, from Matthews, including, but not limited to, any files, books, records, manuals, customer lists, contact information, lists, cards, rolodexes or other information, including that which was authored, compiled or maintained by you during your employment relationship with Matthews; and
- any and all Documents derived or originating from Matthews' computer network.

7. Copies of all invoices and expense reports related to any work you have

performed for Trident.

8. Your date books and calendars for the year 2021 through present, including both paper and electronic.

9. All time records, invoices, proposals, work reports, memoranda, diaries, correspondence, appointment lists, call reports, logs or notes, electronic mails or other documents, referring to or relating in any way to work you have performed or may perform, or in which you have participated or may participate, on behalf of Trident.

10. All Documents memorializing, regarding or relating to any agreement, contract,

or arrangement between you and any third person, firm, or entity to defend or indemnify against this or any action brought against you by Matthews.

11. Your pay stubs or other Documents relating to your salary, wages, or other compensation paid to you since August 1, 2021 except as paid by Matthews.

12. Any and all documents, electronically stored information and things regarding or in any way relating to your contact with, solicitation of, communications with, correspondence to, business with, performance of services for, or other interactions with any person or third party requiring crematory manufacturing, installation, or related services from August 1, 2021 through the present, including any information from cell phone bills, home and/or office telephone bills, and/or email accounts.

13. All Documents generated by you, received by you or exchanged between you and Trident in any way relating to or regarding the recruitment, solicitation, or attempts to obtain business from any person or entity for Trident.

14. A forensic image of the hard drive of each computer, table or other device that you have used for business purposes since August 1, 2021.

15. A forensic image of any smart phone you have owned or used for business purposes since August 1, 2021.

16. A forensic image of any removable storage device you have used for business purposes since August 1, 2021.

17. A zip file and/or forensic image of any and all cloud-based storage accounts that you have used for business purposes since August 1, 2021.

18. A zip file of your downloaded LinkedIn content (including all content since your date of preservation to present).

19. A forensic copy of any .pst file for any email address you have used for business purposes since August 1, 2021.

20. A copy of any contact list, address book, database of contacts or other form of contact directory you maintained whether stored as a hard copy or in electronic form.

21. A copy of your current business card.

22. Any and all Documents you intend to use at hearings or the trial of this matter.

Dated: April 28, 2023

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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